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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91196173
Party	Defendant Absopure Water Company
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Submission	Other Motions/Papers
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Date	08/26/2010
Attachments	Executed Agreed Mtn Document.pdf (2 pages)(255514 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

ECOWATER SYSTEMS LLC,)	
)	
Opposer,)	Opposition No. 91196173
)	
v.)	Serial No. 77/867,238
)	
ABSOPURE WATER COMPANY,)	Mark: ECO2O
)	
Applicant.)	
)	

AGREED MOTION FOR AMENDMENT OF IDENTIFICATION OF GOODS

The parties to the above opposition have reached an agreement that, *inter alia*, requires the Applicant to make an amendment to the identification of the goods in its application SN 77/867,238 to distinguish the goods and clarify the channels of trade. Specifically, Applicant seeks to amend the present description of goods to the following with new text underlined, as follows:

Drinking water for wholesale or retail sale; flavored beverages for
wholesale or retail sale; namely, fruit flavored beverages and tea
flavored beverages

The parties believe that the proposed amendment constitutes a narrowing of the identification of the goods to prevent any likelihood of confusion or actual confusion. As such, the parties respectfully submit that the proposed amendment should be allowed.

The present proceeding was just filed on August 18, 2010, and the Answer is currently due on September 28, 2010. Upon notification of the Board's granting of this Agreed Motion for Amendment of Identification of Goods, Opposer Ecowater Systems LLC will withdraw or otherwise dismiss with prejudice its present notice of opposition.

Stipulated and agreed to by the parties:

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